

REMARKS

Claims 1, 6-9 and 13-17 have been amended to improve form and claims 10-12 and 18-20 have been canceled without prejudice or disclaimer. No new matter has been introduced. Claims 1-9 and 13-17 are now pending.

Claim 10 has been objected for a minor informality. Claim 10 has also been rejected under 35 U.S.C. § 102(e) as being anticipated by Doshi et al. (U.S. Patent No. 6,529,499; hereinafter Doshi). Claim 10 has hereby been canceled, thereby rendering the objection and rejection moot.

Claims 1-9 and 11-20 have been rejected under 35 U.S.C. § 103 as being unpatentable over Doshi. The rejection is respectfully traversed.

Claim 1, as amended, recites that the path control unit is configured to store information identifying connection relationships between telephones in the first and second voice networks and the first and second media gateways, the information including telephone numbers of telephones in the first and second voice networks. A similar feature was previously recited in claim 19. As to the feature previously recited in claim 19, the Office Action states that Doshi discloses that virtual provisioning server 230 determines the maximum number of voice calls that can be simultaneously supported between two gateways and points to col. 5, lines 3-6 for support (Office Action – page 12).

Doshi at col. 5, lines 3-6 may disclose determining a maximum number of calls that may be simultaneously supported. Doshi, however, does not disclose that virtual provisional server 230 stores information identifying connection relationships between telephones in first and second voice networks and first and second media gateways, where the information includes telephone numbers of telephones in the first and second voice networks, as would be required by amended claim 1.

Claim 1, as amended, also recites that the path control unit is configured to store connection relationships between the first and second media gateways and the plurality of label switch routers. This feature was previously recited in claim 20. As to this feature, the Office Action states that Doshi discloses this feature and points to col. 5, lines 30-48 for support (Office Action – page 13). The applicants respectfully disagree.

Doshi at col. 5, lines 30-48 discloses that network management system 240 provides virtual provisioning server 230 with information about the IP network 205 topology, capacities, failure events, etc. Virtual provisioning server 230 uses this information to update routing algorithm weights used to determine the routing path for an IP packet. This portion of Doshi, however, does not disclose that virtual provisioning server 230 of Doshi stores connection relationships between packet circuit gateways (PCGs) 215 and routers 220, as would be required by claim 1 based on the alleged equivalence of the PCGs of Doshi and the claimed first and second media gateways. In contrast, this portion of Doshi merely discloses that virtual provisioning server 230 updates a routing algorithm based on information from network management system 240.

Claim 1 further recites that the path control unit is configured to set a new path for transferring the VoIP packet, when it is determined that the first path having the first band does not exist. The applicants note that Doshi mentions that the system of Doshi can be used in multi-protocol label switching (MPLS) networks (Doshi – col. 9, lines 54-56). Doshi further discloses that in an MPLS based network, virtual provisioning server 230 maintains a knowledge base of possible multiple paths between PCG edge devices (Doshi – col. 9, lines 56-60). Doshi, however, discloses that virtual provisioning server 230 admits a new voice call request if capacity is available over any of the available paths, otherwise, the call request is rejected (Doshi – col. 9, lines 60-64).

Claim 1, in contrast, recites that the path control unit is configured to set a new path when the first path having the first band does not exist. This feature significantly differs from the disclosure of Doshi which merely has prestored information regarding various paths and checks for alternative paths when a voice call request is received. That is, Doshi does not disclose setting a new path when an existing path does not exist. In an MPLS based network, setting a new label switching path (LSP) is significantly different than merely using an existing path or alternatively rejecting a call request when an existing path does not exist, as disclosed by Doshi.

For at least these reasons, Doshi does not disclose or suggest each of the features of claim 1. Accordingly, withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 2-5 are dependent on claim 1 and are believed to be allowable for at least the reasons claim 1 is allowable. Accordingly, withdrawal of the rejection and allowance of claims 2-5 are respectfully requested.

Independent claims 6, 8, 13 and 15, as amended, recite features similar to, but not identical to claim 1. For reasons similar to those discussed above with respect to claim 1, withdrawal of the rejection and allowance of claims 6, 8, 13 and 15 are respectfully requested.

Claims 7, 9, 14, 16 and 17 variously depend on claims 6, 8, 13 and 15 and are believed to be allowable for at least the reasons their respective independent claims are allowable. Accordingly, withdrawal of the rejection and allowance of claims 7, 9, 14, 16 and 17 are respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, the applicants respectfully request withdrawal of the outstanding rejections and time allowance of this application. In the event that the application is not allowed, the applicants respectfully request withdrawal of the finality of the current Office Action and entry of this amendment for the reasons discussed above.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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